THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23287 OF 2005

08.11.2005

Between:

1. Bejjam Bujji, W/o.G.Bhadrachalam, Narsipatnam,

Visakhapatnam District and another

… Petitioners

AND

1. The District Collector, Visakhapatnam

and others

… Respondents

ORDER:

The petitioners are residents of Narsipatnam Gram Panchayat. They are allegedly in occupation of Government poramboke land in Survey No.5/2 of Ayyanna colony where they have raised houses in an extent of Acs.0.02 each and residing there. They allege that on 18.10.2005, the Revenue Inspector from the office of third respondent came along with the panchayat secretary of Narsipatnam Gram Panchayat and made attempts to pull down the houses and evict the petitioners. The petitioners, therefore, approached the first respondent, who directed the Revenue Divisional Officer, the second respondent herein, to allow the petitioners to stay in the houses. In spite of the same, on 22.10.2005, the staff from the office of the third respondent again visited the premises and demolished four houses. They, therefore, seek a declaration and appropriate direction to respondents 2 to 4.

After getting instructions in the matter, the learned Assistant Government Pleader for Revenue (General) and learned Standing Counsel for Narsipatnam Gram Panchayat submit that as the petitioners were in occupation of the road portion, they were allotted house-site pattas in the nearby village but still they continued to occupy the land. Learned Assistant Government Pleader also submits that the houses of the petitioners were already demolished. Therefore, no relief can be granted in this writ petition especially when the petitioners are encroachers of road margin. If the petitioners are not willing to accept the house-site pattas allotted to them earlier, it shall be open to the Mandal Revenue Officer to grant house-site pattas to the petitioners in the area, which is now earmarked as house-sites, as alleged by the petitioners.

The writ petition, with the above observations, is dismissed. No costs.

November 08, 2005. (**V.V.S.RAO,J**)

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